

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
RICHMOND MERCANTILE LTD FZC,

Plaintiff,

-against-

ARABIAN INDUSTRIAL AND CONSTRUCTION
GROUP d/b/a ARABIAN INDUSTRIAL &
CONSTRUCTION GROUP and d/b/a ARABIC
GROUP FOR INDUSTRY AND CONSTRUCTION
CO. and d/b/a ARABIAN INDUSTRY AND
CONSTRUCTION CO. GROUP LTD. and
d/b/a ARABIAN GROUP INDUSTRIAL AND
CONST. CO.,

Defendant.
-----X

:
:
: **ECF**
: **AFFIDAVIT PURSUANT**
: **TO SUPPLEMENTAL**
: **RULE B**

: **07 Civ.**

9587 (AKH)

STATE OF NEW YORK)

: ss.:

COUNTY OF NEW YORK)

TULIO R. PRIETO, being duly sworn, deposes and
says:

1. I am a member of the Bar of this Court and a
member of the firm of Cardillo & Corbett, attorneys for the
Plaintiff herein. I am familiar with the facts of this case
and make this affidavit in support of Plaintiff's prayer for
the issuance of a Writ of Maritime Attachment and Garnishment,
pursuant to Rule B of the Supplemental Rules for Certain
Admiralty and Maritime Claims of the Federal Rules of Civil
Procedure.

2. I have attempted to locate defendant, ARABIAN

INDUSTRIAL AND CONSTRUCTION GROUP, d/b/a ARABIAN INDUSTRIAL & CONSTRUCTION GROUP, d/b/a ARABIC GROUP FOR INDUSTRY AND CONSTRUCTION CO., d/b/a ARABIAN INDUSTRY AND CONSTRUCTION CO. GROUP LTD., and d/b/a ARABIAN GROUP INDUSTRIAL AND CONST. CO., within this District. As part of my investigation to locate the Defendant within this District, I examined the telephone company information directory, as well as the white and yellow pages of New York listed on the Internet or World Wide Web, and did not find any listing for the Defendant under either name.

3. The database of the office of the New York State Secretary of State was searched to determine if Defendant is qualified to do business in New York, without result.

4. On information and belief, Defendant, ARABIAN INDUSTRIAL AND CONSTRUCTION GROUP, d/b/a ARABIAN INDUSTRIAL & CONSTRUCTION GROUP, d/b/a ARABIC GROUP FOR INDUSTRY AND CONSTRUCTION CO., d/b/a ARABIAN INDUSTRY AND CONSTRUCTION CO. GROUP LTD., and d/b/a ARABIAN GROUP INDUSTRIAL AND CONST. CO., was and still is, a foreign corporation, or other business entity, organized under, and existing by virtue of foreign law, with a principal place of business in Al Monawir Complex, Al Farwaniya Main Street, Al Farwaniya, Kuwait City, Kuwait.

5. In consequence of these inquiries your deponent believes that the Defendant cannot be found within the Southern District of New York.

6. Upon information and belief, Defendant has, or will have during the pendency of this action, tangible and intangible property within the District in the hands of ABN Amro Bank NV, American Express Bank, Bank of America, Bank of Communications Co. Ltd. New York Branch, Bank of New York, Barclays Bank, BNP Paribas, Citibank, Deutsche Bank, HSBC (USA) Bank, J.P. Morgan Chase, Standard Chartered Bank, UBS AG and/or Wachovia Bank, in the form of accounts and/or fund transfers identified as follows:

- a) accounts in the name of ARABIAN INDUSTRIAL AND CONSTRUCTION GROUP, and/or ARABIAN INDUSTRIAL & CONSTRUCTION GROUP, and/or ARABIC GROUP FOR INDUSTRY AND CONSTRUCTION CO., and/or ARABIAN INDUSTRY AND CONSTRUCTION CO. GROUP LTD., and/or ARABIAN GROUP INDUSTRIAL AND CONST. CO., or
- b) electronic funds transfers listing ARABIAN INDUSTRIAL AND CONSTRUCTION GROUP, and/or ARABIAN INDUSTRIAL & CONSTRUCTION GROUP, and/or ARABIC GROUP FOR INDUSTRY AND CONSTRUCTION CO., and/or ARABIAN INDUSTRY AND CONSTRUCTION CO. GROUP LTD., and/or ARABIAN GROUP INDUSTRIAL AND CONST. CO., as a beneficiary of the funds transfer, or
- c) electronic funds transfers showing ARABIAN INDUSTRIAL AND CONSTRUCTION GROUP, and/or ARABIAN INDUSTRIAL & CONSTRUCTION GROUP, and/or ARABIC GROUP FOR INDUSTRY AND CONSTRUCTION CO., and/or ARABIAN INDUSTRY AND CONSTRUCTION CO. GROUP LTD., and/or ARABIAN GROUP INDUSTRIAL AND CONST. CO., as the remitting party or ordering customer.

WHEREFORE, RICHMOND MERCANTILE LTD FZC respectfully requests that the Court authorize the issuance of process in

the form of a Writ of Maritime Attachment and Garnishment seeking attachment and garnishment of ARABIAN INDUSTRIAL AND CONSTRUCTION GROUP's, d/b/a ARABIAN INDUSTRIAL & CONSTRUCTION GROUP, d/b/a ARABIC GROUP FOR INDUSTRY AND CONSTRUCTION CO., d/b/a ARABIAN INDUSTRY AND CONSTRUCTION CO. GROUP LTD., and d/b/a ARABIAN GROUP INDUSTRIAL AND CONST. CO., tangible and intangible property within this District.


TULIO R. PRIETO

Sworn to before me this
26th day of October, 2007


NOTARY PUBLIC

CHRISTOPHIL B. COSTAS
Notary Public, State of New York
No. 31-0773693
Qualified in New York County
Commission Expires April 30, 2011